

REGULATERY AUTH.

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Henry Walker (615) 252-2363 Fax: (615) 252-6363 Email: hwalker@bccb.com

EXECUTIVE SEGRETARY
June 14, 2001

Mr. David Waddell, Executive Secretary Tennessee Regulatory Authority 460 James Robertson Parkway Nashville, Tennessee 37243

Re:

Gasco Distribution Systems Actual Cost Adjustment (ACA) Audit

Docket No. 00-00998

Dear David:

Please find enclosed the original and thirteen copies of an Agreed Motion for Continuance regarding the hearing in the above-captioned proceeding presently scheduled for June 21, 2001. Please bring this to the attention of the hearing officer in this proceeding, Melvin Malone. Thank you for your attention to this matter.

Very truly yours,

BOULT, CUMMINGS, CONNERS & BERRY, PLC

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Henry Walker

HW/nl Enclosure

c: Gary Hotvedt, Esq. Vance Broemel, Esq.

## BEFORE THE TENNESSEE REGULATORY AUTHORITY NASHVILLE, TENNESSEE

IN RE: GASCO DISTRIBUTION	)
SYSTEMS ACTUAL COST	)
ADJUSTMENT (ACA) AUDIT	) DOCKET NO. 00-00998
	)

## AGREED MOTION FOR CONTINUANCE

Gasco Distribution Systems, Inc. ("Gasco"), the staff of the Tennessee Regulatory Authority ("Staff") and the Office of the Consumer Advocate ("CAD") jointly request a thirty (30) day postponement of the hearing scheduled for June 21, 2001, in the above-captioned proceeding. The reasons for the joint request are as follows.

- 1. This is the first time this matter has been set. A continuance will not unreasonably delay the resolution of this matter.
- 2. The parties believe that a delay will promote the settlement of this case. Counsel for Gasco and counsel for the Staff have begun such discussions and have agreed, in concept, on a settlement proposal. The Uniform Administrative Procedures Act encourages settlements. *See* T.C.A. § 4-5-105.
- 3. The CAD has filed a petition to intervene which has not yet been granted. Although Gasco and the Staff assume the motion will be granted, the CAD has not yet been included in any settlement discussions.
- 4. Both Vance Broemel and Tim Phillips of the CAD will be out-of-town throughout the week of the scheduled hearing.
- 5. Gasco may decide to appeal the denial of the Motion to Dismiss. If the Motion is granted by the Authority, the scheduled hearing would be moot.

For these reasons, the parties request a thirty-day continuance.

Respectfully submitted,

BOULT, CUMMINGS, CONNERS & BERRY, PLC

By:

Henry Walker (No. 00272) 414 Union Street, Suite 1600

P.O. Box 198062

Nashville, Tennessee 37219

(615) 252-2363

Counsel for Gasco Distribution Systems

Gary Hotvedt

460 James Robertson Parkway

Nashville, Tennessee 37243-0505

Counself for Staff

Vance Broemel

Consumer Advocate and Protection Division

Tennessee Attorney General's Office

P.O. Box 20207

Nashville, TN 37202

Counsel for Consumer Advocate and Protection

Division

## CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing has been forwarded via U.S. Mail, postage prepaid, to the following on this the 14<sup>th</sup> day of June, 2001.

Gary Hotvedt, Esq. Tennessee Regulatory Authority 460 James Robertson Parkway Nashville, TN 37243-0505

Vance Broemel, Esq.
Office of the Attorney General
Consumer Advocate and Protection Division
P.O. Box 20207
Nashville, TN 37202

Henry Walker